

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled CONTROL DEVICE FOR A RAILROAD CAR the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

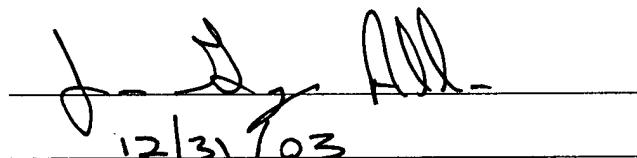
I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

As a named inventor, I hereby appoint Frank C. Leach, Jr.,
Registration No. 17,205, P.O. Box 22455, Lexington, Kentucky
40522, (A.C. 859, 266-0169), my attorney to prosecute this
application and transact all business in the Patent and Trademark
Office connected therewith.

Full name of first
joint inventor:

James George Allen



J. G. Allen
12/31/03

Date:

Residence:

Lexington, Kentucky

Citizenship:

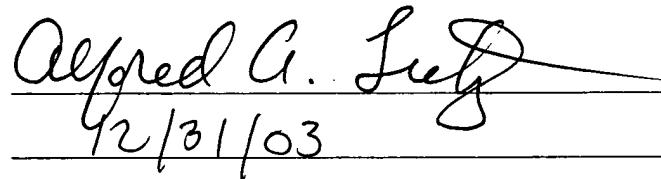
U.S.A.

Post Office Address:

133 Louisiana Avenue
Lexington, Kentucky 40502

Full name of second
joint inventor:

Alfred Arthur Lutz



Alfred A. Lutz
12/31/03

Date:

Residence:

Georgetown, Kentucky

Citizenship:

U.S.A.

Post Office Address:

1103 Beth Court
Georgetown, Kentucky 40324

Full name of third
joint inventor:

Jacob Daniel Rupp II

Date:

12-31-03

Residence:

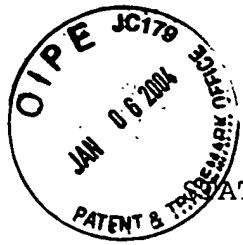
Lexington, Kentucky

Citizenship:

U.S.A.

Post Office Address:

782 Spyglass Lane
Lexington, Kentucky 40509



STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.27) - SMALL BUSINESS CONCERN

Applicants: James George Allen et al
For: Control Device For A Railroad Car

I hereby state that I am vice president administration of the small business concern and empowered to act on behalf of the concern identified below:

NAME OF CONCERN Lexair, Inc.
ADDRESS OF CONCERN 2025 Mercer Road, Lexington, KY 40511

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR part 121.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Control Device For A Railroad Car by inventors James George Allen, Alfred Arthur Lutz, and Jacob Daniel Rupp II described in the specification filed herewith.

I hereby assert that Lexair, Inc. is entitled to small entity status for payment of reduced patent fees.

12/31/03
Date



James George Allen
Vice President Administration
Lexair, Inc.